



Application No. 10/693,141
Petition Filed *****

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1/10/04
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Kennedy et al.

Attorney Docket No.:

Serial No.: 10/693,141

Group Art Unit: 3682

Filed: April 26, 2004

Examiner: Footland

For: Single Piece Hub With Integral
Upper and Lower Female Cones and
Method for Making the Same

Confirmation No.: 1759

Petition under 37 C.F.R. § 1.182

US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition under 37 C.F.R. § 1.182 to correct the claim for priority in this application. Specifically, the US Patent Office had already identified the correct priority in this application. However, the first line of the specification was not amended to reflect the correct claim for priority. This petition is made to amend the first line of the specification to establish the correct claim for priority.

This application is a divisional of U.S. Serial No. 09/498,700, filed October 23, 2003, which claims the benefit of U.S. Provisional Application Serial No. 60/138,945, filed June 11, 1999.

When this application was filed on October 23, 2003, the filing documents included a copy of the parent patent application U.S. Serial No. 09/498,700 and a preliminary amendment.¹

1. As the specification in the present application was a copy of the specification from the parent, the first line of the specification indicated that the "application" claimed priority to the provisional application. The effect was that the instant '141

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¹ The copy of the parent application was not found with the filing documents so the Office of Initial Patent Examination alerted applicants that no filing date was accorded because the specification, drawings, and claims were missing. Applicants submitted the copy of the parent patent application and a copy of the postcard showing Patent Office receipt of the documents. The Patent Office accorded the filing date as the date of receipt of the substitute copy of the parent patent application (namely, April 26, 2004). The actual filing date accorded this application is not relevant for this petition.

application claimed priority to the provisional application. However, the provisional application had already expired.

2. The papers originally filed with this application included an instruction to amend the first line of the specification to identify this application (the '141 application) as a divisional application of U.S. Serial No. 09/498,700. However, the relationship between U.S. Serial No. 09/498,700 and U.S. Provisional Application Serial No. 60/138,945 was not identified.

Accordingly, Applicants petition for waiver of the rules under 37 C.F.R. § 1.182 for acceptance of the attached amendment to amend the first line of the specification to identify the correct priority claim.

The entire delay between the date the claim was due (before abandonment of the present application) and the filing date of this paper was unintentional.

Applicants request the fee under 37 C.F.R. 1.17(f) and any other required fees be charged to deposit account no. 19-1038 in the appropriate amount.

Respectfully submitted,

5/12/10
Date

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